

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AVERY JOSEPH BRADSHAW,

Defendant.

CR 20–88–BLG–DLC

ORDER

United States Magistrate Judge Timothy J. Cavan has entered his Findings and Recommendation in this matter on March 4, 2021. (Doc. 41.) Neither party objects, and so the Court will review for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted).

Judge Cavan recommended this Court accept Defendant Avery Joseph Bradshaw’s guilty plea after Bradshaw appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of a prohibited person in possession of a firearm in violation of 18 U.S.C. § 922(g)(9) as set forth in the Indictment.

The Court finds no clear error in Judge Cavan's Findings and Recommendation and adopts them in full. The Court will defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report. Accordingly,

IT IS ORDERED that the Findings and Recommendation (Doc. 41) is ADOPTED in full. Bradshaw's motion to change plea (Doc. 35) is GRANTED and he is adjudged guilty as charged in the Indictment.

DATED this 22nd day of March, 2021.



Dana L. Christensen, District Judge
United States District Court